



JUSTICE FOR ALL COURTS AND THE COMMUNITY

A CIVIC EDUCATION INITIATIVE OF THE FEDERAL COURTS FOR THE SECOND CIRCUIT

NEW YORK STATE BAR ASSOCIATION
COMMERCIAL & FEDERAL LITIGATION SECTION



2022 Essay Contest

In Honor of Second Circuit Judge Robert A. Katzmann

THE ROLE OF THE COURTS IN PROMOTING JUSTICE FOR ALL: THE EQUAL PROTECTION CLAUSE

The 2022 Second Circuit Essay Contest is sponsored by the New York State Bar Association Commercial and Federal Litigation Section in memory of Circuit Judge Robert A. Katzmann. When he was Chief Judge of the Second Circuit, Judge Katzmann founded *Justice for All: Courts and the Community*, the Second Circuit's civic education initiative, in 2014, and worked tirelessly to promote *Justice for All*'s mission "to increase public understanding of the role and operations of the courts and bring courts closer to the community." Judge Katzmann was committed to the fair administration of justice and was passionate about educating students about the role of our courts, particularly the federal judiciary, in promoting justice for all.

One of the primary roles of the federal judiciary is to interpret the Constitution and to determine how the Constitution is applied to novel questions of

law. One amendment that has been subject to much interpretation is the 14th Amendment, ratified in 1868 following the Civil War, which includes the Equal Protection Clause. The Equal Protection Clause of the 14th Amendment of the Constitution provides that the state shall not "deny to any person within its jurisdiction the equal protection of the laws." Although initially intended to address racial discrimination following the Civil War, the Equal Protection Clause has now been applied to prohibit discrimination based on many classifications including race, gender, and immigration status, among others. The broad phrasing of the Equal Protection Clause has been interpreted many times by the federal courts, including the Supreme Court, and has led to many landmark decisions shaping the meaning and impact of the Equal Protection Clause in modern American society.



In honor of Judge Katzmann's commitment to the administration of justice and to educating students about the role of the courts in promoting justice for all, the theme for this year's essay contest is "The Role of the Courts in Promoting Justice for All: The Equal Protection Clause." Consistent with that theme, students are asked to consider how the federal courts have interpreted the meaning of the Equal Protection Clause in many different situations, and to think critically about how the Equal Protection Clause impacts individuals, communities, and American society.

In discussing the role of the courts in promoting justice for all through the Equal Protection Clause, students may want to consider the following questions:

- Why is the Equal Protection Clause important in modern American society?
- Considering the Supreme Court decisions described in the box on the right, how has the Supreme Court's interpretation of the Equal Protection Clause helped to protect the rights of different groups of people?
- In your opinion, is the Equal Protection Clause functioning as intended?
- What is important for students like yourselves to know about the Equal Protection Clause and the decisions interpreting it?
- Within the scope of the constitutional role of the federal judiciary, how else can courts promote justice for all?

LANDMARK SUPREME COURT DECISIONS INVOLVING THE EQUAL PROTECTION CLAUSE

Brown v. Board of Education, 347 U.S. 483 (1954): In *Brown*, the Supreme Court ruled that "separate but equal" school facilities are inherently unequal (overruling an earlier decision in *Plessy v. Ferguson*, which held that if facilities were equal, separating by race did not violate the Equal Protection Clause). The *Brown v. Board of Education* decision held that public school segregation based on race violates the Equal Protection Clause.

Loving v. Virginia, 388 U.S. 1 (1967): In *Loving*, the Supreme Court held that a prohibition against interracial marriage violated the Equal Protection Clause.

Reed v. Reed, 404 U.S. 71 (1971): In *Reed*, the Supreme Court applied the Equal Protection Clause to gender discrimination for the first time, holding that a law that stated that "males must be preferred to females" with respect to appointing the administrator of an estate was unconstitutional.

Plyler v. Doe, 457 U.S. 202 (1982): In *Plyler*, the Supreme Court held that a law denying enrollment in public schools to children who were not "legally admitted" to the country violated the Equal Protection Clause. The Court concluded that the Equal Protection Clause applies to all persons within the United States, regardless of whether they entered the country legally, although an individual's right to equal treatment is not absolute.

Obergefell v. Hodges, 576 U.S. 644 (2015): In *Obergefell*, the Supreme Court held that the Equal Protection Clause guarantees the right of same-sex couples to marry because denial of that right would deny same-sex couples equal protection under the law.



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2022 ESSAY CONTEST INFORMATION AND RULES

Please visit https://justiceforall.ca2.uscourts.gov/essay_contest_2022.html for additional contest information and rules.

WHO MAY ENTER

The contest will be open to high school students in New York. Students attending public, private, parochial, and charter schools, as well as home-schooled students of equivalent grade status, are all invited to participate. Note: Children of federal judges or federal judiciary employees are not eligible to participate.

ENTRY INFORMATION

Entries must be submitted by 11:59 p.m. on February 25, 2022. Essays must be submitted electronically as a PDF to justiceforall@ca2.uscourts.gov. Please submit the contest entry form, available at https://justiceforall.ca2.uscourts.gov/essay_contest_2022.html, as a separate PDF in your email. **Please do not put your name on your essay.**

LENGTH AND FORMAT

Essays must be between 500 and 1000 words. The essays must be double spaced and typed using size 12, easily readable font (e.g., Times New Roman, Garamond, etc.). Proper use of citations and bibliographies is not required, but will be credited during the judging. Citations and bibliographies are not included in the word count.

JUDGING

Judging will be based on the following criteria:

- Understanding of cases and the role of the judiciary in interpreting and applying the Equal Protection Clause
- Clarity and effectiveness in expressing the theme
- Grammar, spelling, and composition
- Use of footnotes, citations, and bibliographies

AWARDS

- First place: \$1,000
- Second place: \$750
- Third place: \$250

Winners will be presented with their awards by a Second Circuit judge at the Thurgood Marshall United States Courthouse in New York City. Additionally, the first-place essay will be published by the New York State Bar Association Commercial & Federal Litigation Section.